

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

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PUBLIC SERVICE
COMMISSION

Brandenburg Telephone Company;)
Duo County Telephone Cooperative)
Corporation, Inc.; Highland Telephone)
Cooperative, Inc.; Mountain Rural Telephone)
Cooperative Corporation, Inc.; North Central)
Telephone Cooperative Corporation; South)
Central Rural Telephone Cooperative)
Corporation, Inc.; and West Kentucky Rural)
Telephone Cooperative Corporation, Inc.)

Case No. 2007-00004

COMPLAINANTS)

v.)

Windstream Kentucky East, Inc.; and)
Windstream Kentucky West, Inc.)

DEFENDANTS)

**Response of Windstream Kentucky East, Inc. to Commission's Order
Dated November 13, 2007**

Windstream Kentucky East, Inc. for its Response¹ to the Commission's
November 13, 2007 Order in this proceeding states:

1. Ordering Paragraph 3 of the Commission's Order requested that
Windstream provide a "cost-support study for the new local transit traffic rates"
submitted on December 1, 2006 and approved by the Kentucky Public Service
Commission on December 16, 2006. While reserving all rights under the statute as
noted in its pleadings in this matter, Windstream provides the attached Appendix A.

¹ With respect to the Commission's Order of November 13, 2007, Windstream notes for the record that, as an alternatively regulated company and pursuant to KRS 278.543(6), Windstream is expressly exempt from KRS 278.190 and KRS 278.260 and reserves all rights with respect thereto.

2. Further, Ordering Paragraph 4 requested that Windstream present a status report noting the (a)“details on the alleged outstanding payments owed by each RLEC for tandem transit rates and end office transit rates, for costs accumulated since December 16, 2006” and (b)“details on any negotiated agreements reached or pending between the parties regarding local transit traffic service”. In Appendix B, Windstream has provided the detail of outstanding amounts owed by each RLEC from June 2007 through November 2007 and the estimated total due since December 2006. In Appendix C, Windstream has attached correspondence evidencing its continuing attempt to engage the RLECs in negotiation of agreements . . The RLECs failed or refused to negotiate, and Windstream began rendering formal invoices under the transit traffic tariff with the June 2007 billing cycle.

3. As Windstream stated at paragraph 21 of its January 26, 2007 filing in this matter, Windstream “has a preference for negotiations and has made that fact clear to the Rural ILECs.” Nevertheless, to date, the RLECs have not responded to Windstream's attempts to engage in negotiations.

4. Windstream, again, states for the record its willingness to negotiate agreements with the RLECs for local transit traffic. It should be noted again that several of the complainants maintain CLEC affiliates that compete in Windstream’s certificated area. These CLECs have interconnection agreements with Windstream addressing the provision of and compensation for local transit traffic.

Wherefore, Windstream Kentucky East, Inc. respectfully requests the Commission accept this Response in full satisfaction of the Commission's November 13, 2007 Order.

Windstream Kentucky East, Inc.

By: 

Mark R. Overstreet
STITES & HARBISON PLLC
421 West Main Street
P.O. Box 634
Frankfort, Kentucky 40602-0634
(502) 223-3477

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by United States First Class Mail, postage prepaid, and e-mail transmission on this 3rd day of December, 2007 upon:

John E. Selent
Holly C. Wallace
Edward T. Depp
Dinsmore & Shohl, LLP
1400 PNC Plaza
500 West Jefferson Street
Louisville, Kentucky 40202

Douglas F. Brent
Stoll, Keenon & Ogden PLLC
2000 PNC Plaza
500 West Jefferson Street
Louisville, Kentucky 40202

Dennis G. Howard, II
Kentucky Attorney General's Office
Suite 200
1024 Capital Center Drive
Frankfort, Kentucky 40601

John N. Hughes
124 West Todd Street
Frankfort, Kentucky 40601



A handwritten signature in black ink, appearing to read "Mark R. Kelly", is written over a horizontal line. The signature is stylized and cursive.

KE242:0KE11:16329:1:FRANKFORT

Appendix A

*Entire Document
Is
Redacted*

Appendix B

Appendix C



Windstream Communications, Inc.
4001 Rodney Parham Road
1170 B3F03-84A
Little Rock, AR 72212

Stephen Weeks
Director – Wholesale Services
501-748-5808 office
501-529-2680 mobile
501-748-6583 fax
stephen.weeks@windstream.com

May 30, 2007

Brandenburg Telephone
P.O. Box 599
Brandenburg, KY 40108

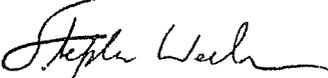
RE: Local Transit Traffic

Accounts Payable:

Attached is an invoice based on the Windstream Kentucky East, Inc. tariff filed and effective during December 2006 under Kentucky Public Service Commission tariff filing identification number TFS2006-01638. This invoice includes charges for local transit usage and local number portability queries from March 6, 2007 through May 5, 2007.

Windstream acknowledges that your company may be disputing the imposition of Windstream's tariffed charges to the transit and query services that Windstream currently is providing to your company. To that extent, Windstream remains willing to negotiate a commercial contract for local transit service upon request by your company. In order to facilitate such negotiations, Windstream will provide your company with a proposed agreement upon receipt of your request. The terms and conditions of the commercial contract would replace the terms and conditions of the tariff on a prospective basis.

Regards,


Stephen Weeks

cc: Beth O'Donnell



Windstream Communications, Inc.
4001 Rodney Parham Road
1170 B3F03-84A
Little Rock, AR 72212

Stephen Weeks
Director – Wholesale Services
501-748-5808 office
501-529-2680 mobile
501-748-6583 fax
stephen.weeks@windstream.com

May 30, 2007

Highland Telephone Coop
950 Main Street, Suite D
Wartburg, TN 37887

RE: Local Transit Traffic

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Regards,

A handwritten signature in black ink that reads "Stephen Weeks". The signature is written in a cursive, flowing style.

Stephen Weeks

cc: Beth O'Donnell



Windstream Communications, Inc.
4001 Rodney Parham Road
1170 B3F03-84A
Little Rock, AR 72212

Stephen Weeks
Director – Wholesale Services
501-748-5808 office
501-529-2680 mobile
501-748-6583 fax
stephen.weeks@windstream.com

May 30, 2007

Leslie County Telephone
P.O. Box 969
Hyden, KY 41749

RE: Local Transit Traffic

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Regards,

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Stephen Weeks

cc: Beth O'Donnell



Windstream Communications, Inc.
4001 Rodney Parham Road
1170 B3F03-84A
Little Rock, AR 72212

Stephen Weeks
Director – Wholesale Services
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501-748-6583 fax
stephen.weeks@windstream.com

May 30, 2007

North Central Telephone Coop
P.O. Box 70
Lafayette, TN 37083

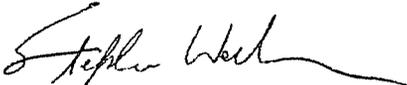
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Regards,


Stephen Weeks

cc: Beth O'Donnell



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1170 B3F03-84A
Little Rock, AR 72212

Stephen Weeks
Director – Wholesale Services
501-748-5808 office
501-529-2680 mobile
501-748-6583 fax
stephen.weeks@windstream.com

May 30, 2007

South Central rural Telephone
P.O. Box 159
Glasgow, Kentucky 42142

RE: Local Transit Traffic

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Regards,

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Stephen Weeks

cc: Beth O'Donnell